

REMARKS

Entry of this Amendment in accordance with the provisions of 37 CFR §1.114 is respectfully requested, noting that this Amendment is filed as a Submission with a Request for Continued Examination (RCE) on even date herewith.

This Amendment is in response to the Final Office Action dated December 14, 2009. Appreciation is expressed to the Examiner for his courtesy and helpfulness during a telephone interview conducted in this matter on December 8, 2009. A copy of an Interview Summary was attached to the Amendment noting the December 8, 2009 interview. As noted in the Interview Summary, agreement was reached that:

“applicant agrees to amend the claims such that the substrate having rectangular shape with respective plane view and the cross-section of electrodes having stepped shapes with respect to vertical cut-through.”

Accordingly, by the present amendment, the claims have been amended, where appropriate, to incorporate these agreed upon changes. In particular, all of the independent claims have been amended to define that the substrate has a rectangular shape when viewed in a planar view. The significance of this in distinguishing over the cited prior art was discussed during the interview, and will be discussed in further detail below. It is applicants understanding that, based upon this amendment, the Examiner will now interpret the claims more specifically from the perspective that the substrate is rectangular when viewed in a planar view, not a cross-sectional view, which was the interpretation made in the Office Action.

With regard to the amendment that the cross-section of electrodes having step shapes “with respect to vertical cut-through,” this amendment has also been made in those claims which include limitations regarding the step shape of the cross-sections, such as claim 34. Again, it is applicants understanding that, by making this agreed upon amendment, the Examiner will more specifically interpret the recitations

concerning cross-sections as relating to the directions shown in the drawings of the present application, not the broad interpretation set forth in the Office Action.

Reconsideration and removal of the various rejections set forth in the Office Action of all of the claims 31-48 based on the primary reference to Machida (USP 4,848,536) whether considered alone or in combination with the secondary references to Motoaki (JP 62-211363) and Hiramatsu (USPub. 2003/0044653) is respectfully requested. As noted above, by virtue of the present amendment, each of the independent claims has been amended to clarify the recitations with regard to the substrate being rectangular. In particular, each of the independent claims now defines that the term rectangular applies to the substrate "when viewed in a planar view." As such, it is respectfully submitted that this clearly distinguishes over the interpretation set forth in the Office Action with regard to the primary reference to Machida, which interpretation is based on the cross-sectional view of the substrate shown in Fig. 6 of Machida. Because of the clarification of the present amendment defining that the term rectangular substrate applies to viewing the substrate in a planar view, it is respectfully submitted that the amended claim language clearly defines over the arrangement taught in Machida.

In addition, as discussed during the interview, the Examiner advised the undersigned attorney that no weight was given to the claimed features regarding how the rectangular substrate is mounted on the substrate mounting surface because these were regarded as simply functional features. In response to this, each of the independent claims has now been amended to clearly define that the electrostatic chuck or the rectangular mounting surface further comprises means for mounting the rectangular substrate on the electrostatic chuck (or rectangular

mounting surface). In conjunction with this, each of the independent claims now specifically defines:

“said means comprising configuring the rod-like electrode and locating them relative to one another to form a substrate mounting surface comprised of the rod-like electrodes, which substrate mounting surface has overall rectangular dimensions with a longer side equal to or greater in length than the length of the rectangular substrate and with a shorter side equal to or greater in length than the shorter side of the rectangular substrate.”

As such, it is respectfully submitted that, since the feature of electrostatic attraction is now clearly defined in a means+function form, in accordance with the provisions of 35 USC §112, paragraph six, which permits defining an invention in terms of its function provided it is set forth in a means+function format, reconsideration and allowance of each of the independent claims over the cited prior art is respectfully requested. Pertaining to this, as apparently understood by the Examiner, neither Machida nor any of the cited secondary references teaches or suggests these claimed means+function features now defined in each of the independent claims. Therefore, reconsideration and allowance of the independent claims is respectfully requested.

Finally, reconsideration and allowance of the claims, such as claim 34, which include the further limitations concerning cross-sections with respect to a vertical cut-through which are either step shape or in the shape of roofing tiles, is respectfully requested. These limitations serve as yet a further distinction over the cited prior art. In particular, as discussed during the interview, the rejection was based on Figs. 15(d) and 15(e) of Machida as representing “sectional views.” However, this was agreed to be overcome if the claims would be amended to define that the cross-sections are with respect to a vertical cut-through, as noted in the Interview Summary. As recognized by the Examiner during the interview, Machida does not teach, in Figs. 15(d) and 15(e), the claimed shapes “with respect to a vertical cut-


through." Therefore, reconsideration and allowance of the claims containing these additional features is respectfully requested.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 1113.45730X00), and please credit any excess fees to such deposit account.

Respectfully submitted,
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